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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,239	01/03/2002	Steven G. LeMay	IGT1P078/P-671	2921

22434 7590 06/29/2006

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EXAMINER	
SPRIGG, SEAN M	

ART UNIT	PAPER NUMBER
3712	

DATE MAILED: 06/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/040,239	LEMAY ET AL.	
	Examiner	Art Unit	
	Sean Sprigg	3712	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 July 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *3/13/06*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 3/13/2006 is being considered by the examiner.

Claim Objections

2. Claim 1 is objected to because of the following informalities: the limitation of claim 1 reciting "logic for one or more...the end of the chance" could be interpreted as referring without proper antecedent basis to a separate element of "a chance" instead of "a game of chance". Therefore, the limitation should likely read –logic for one or more...the end of the game of chance— to more clearly refer to the introduced element of "the game of chance." Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Jackson'074 (US Pub No 2003/0069074)..

Jackson'074 discloses a computerized wagering game method and apparatus that features an operating system kernel, a system handler application as a part of the operating system, wherein the system handler application loads and executes a dynamic number of a plurality of autonomous gaming program shared objects (Abstract). Jackson'074 a nonvolatile storage device that facilitates the sharing of information between shared objects as the system handler unloads one shared object in

order to load a second shared object. The system handler also provides an API library that allows communication between various disparate devices, modules, and software of the gaming apparatus and facilitates the use of callback functions that allow shared objects to communicate changes through the nonvolatile memory (Abstract, par. 23). Jackson'074 discloses that the system handler application includes a plurality of device handlers, providing an interface to selected hardware and the ability to monitor hardware-related events, and that the system handler has logic separate from the logic of the shared objects (Fig. 2). Some of the software gaming element library includes a game initiation sequence, a bonus module, a video gaming module, an audio module, a graphics conversion tool, and other modules and tools. Jackson'074 discloses that the shared objects act as stages for a game of chance and that the number of shared objects from a plurality of shared objects loaded and/or executed is dynamically decided (par. 88). A game of chance is known to have a start and a finish and since the shared objects act as stages providing a game of chance (main game and bonus game), a plurality of shared objects are executed between the start and the finish of the game of chance. Jackson'074 appears to implicitly teach that there are multiple game states in each stage and that the presentation states are separate from the game state. In par. 155, Jackson'074 discloses that the "shared objects...define the personality and function of the game", wherein "personality" is understood to be the presentation and the operation of output devices while "function" is understood to be the game flow states of the game. Since a game or bonus shared object is understood to provide multiple states, as would be expected of any game of chance or bonus feature, it is also

understood that a number of "personality" states correspond with the number of "function" states depending on the actions being performed in the game of chance. Jackson'074 states that callback functions in nonvolatile memory, which are facilitated through the API of the system handler, can be used by a shared object to call a function within the same shared object. This feature suggests the use of separate states within a single shared object that perform specific tasks (par. 154). Furthermore, Jackson'074 uses an example of a "display_credits" function to illustrate a presentation state and suggests that a separate function of the shared object provided game flow to change the "credits" variable in the first place. This example suggests that all states are separated into game flow and presentation states. Therefore, it would appear that Jackson'074 implicitly teaches a shared object (game stage), wherein the shared object contains one or more game states and corresponding presentation states, and a logical separation of the internal workings of a state such that one state can be modified without affecting the logic of another state. Additionally, Jackson'074 appears to implicitly teach that the game states and the system handler communicate through one or more APIs as related to the nonvolatile memory. It is noted that the collection of "personality" (presentation) states and the collection of "function" (game flow) states comprise presentation and game flow modules respectively. As stated previously, one of ordinary skill in the art could ascertain each claim element through a detailed reading of the publication.

Response to Arguments

5. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Sprigg whose telephone number is (571) 272-5562. The examiner can normally be reached on Monday - Friday, 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hotaling can be reached on (571) 272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SMS
6/20/06

JOHN M. HOTALING, II
PRIMARY EXAMINER